



# County of Sonoma

## State of California

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Date: August 22, 2023

Item Number: \_\_\_\_\_

Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,  
Certifying The Environmental Impact Report For The 2023-2031 Housing Element Project  
And Related General Plan Amendments, And Adoption Of Findings Pursuant To The  
California Environmental Quality Act And Adoption Of A Statement Of Overriding  
Consideration**

**Whereas**, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the Board of Supervisors adopt an updated Housing Element for the eight-year period 2023-2031 to accommodate the regional housing need allocation (RHNA) of 3,824 housing units for the unincorporated County of Sonoma, including 584 very-low income units, 1084 low-income units, and 627 moderate-income units;

**Whereas**, the County prepared the 2023-2031 Housing Element (the Housing Element or Project) in compliance with State Housing Element Law, and identified sites that can accommodate housing units meeting the County's RHNA; and

**Whereas**, the Housing Element is a mandatory element of the General Plan, and adoption of the Housing Element is a General Plan amendment, as provided in Government Code Section 65350 et. Seq.; and

**Whereas**, in compliance with Government Code sections 65352 – 65352.5, the County mailed a public notice regarding the Housing Element Update to all California Native American tribes provided by the Native American Heritage Commission and to other entities listed. The County's notice to Tribes under Government Code Sections 65352 and 65352.3 was combined with invitations to consult under the California Environmental Quality Act (CEQA), and was mailed on November 2, 2021; and

**Whereas**, no California Native American Tribe requested consultation; and

**Whereas**, the County conducted extensive community outreach since December 2021, including four housing advisory committee meetings, eight focus group meetings with community-based organizations, three online public surveys with a total of 6,470 responses, two public workshops, four public meetings at the Planning Commission, three public meetings with supervisorial districts and one public meeting at the Board of Supervisors; and

**Whereas**, in accordance with Government Code Section 65585(b), on November 3, 2022, the County posted the public review draft Housing Element for a 30-day review period and requested public comment. On December 30, 2022, after responding to public comments, the County submitted the initial draft Housing Element to the State Department of Housing and Community Development (HCD) for its 90-day review; and

**Whereas**, after further review and analysis by County consultants and staff of HCD comments on draft Housing Elements in other jurisdictions, the County revised the initial Draft Housing Element to address expected HCD comments, to respond to public input, and to update data. On March 13, 2023 the County posted the revised Draft Housing Element and sent an email link to all interested parties. On March 20, 2023 the County submitted the revised draft Housing Element to HCD; and

**Whereas**, on March 30, 2023, the County received a letter from HCD providing its findings regarding the Draft Housing Element, as submitted on December 30, 2022 and revised on March 21, 2023; and

**Whereas**, the County revised the Draft Housing Element in response to HCD's findings, and on June 30, 2023, the County published the Planning Commission Adoption Draft Housing Element on the Permit and Resource Management Department (Permit Sonoma) website and requested public comment on the draft; and

**Whereas**, on July 13, 2023 and July 20, 2023, the Planning Commission held a duly noticed public hearing to hear and consider public testimony and make recommendations to the Board of Supervisors regarding certification of the Final Environmental Impact Report (Final EIR) prepared for the Housing Element Update and adoption of the Housing Element, amendments to General Plan land use and zoning for identified housing sites, and technical corrections to Sonoma County Code Chapter 26 to reinstate inadvertently deleted housing uses and repeal provisions that conflict with State housing laws; and

**Whereas**, the Planning Commission adopted a resolution recommending that the Board of Supervisors certify the Final EIR and adopt the Housing Element, amendments to General Plan land use and zoning designations where needed for sites identified for inclusion in the site inventory, and text amendments to Chapter 26, with modifications to certain programs and sites included in the Housing Element site inventory; and

**Whereas**, the Board of Supervisors' Adoption of the Housing Element reflects the Planning Commission's recommended changes to programs and sites; and

**Whereas**, on August 22, 2023, the Board of Supervisors conducted a duly noticed public hearing to take public testimony and consider certification of the Final EIR and adoption of the Housing Element, General Plan land use amendments, rezoning ordinance, and ordinance making technical corrections to Chapter 26. The Board reviewed and considered the Housing Element and all pertinent documents and other materials, including HCD's findings and the County's response to HCD's findings, the staff report and attachments, and oral and written public comments; and

**Whereas**, the Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, et seq. ("CEQA")), the State

CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.), and the County's Local CEQA Guidelines. Accordingly, an Environmental Impact Report was prepared; and

**Whereas**, on June 15, 2022, the County distributed a Notice of Preparation ("NOP") to the State Office of Planning and Research. The NOP was circulated from July 15, 2022 through July 30, 2022, to receive input from interested public and private parties on issues to be addressed in the Environmental Impact Report ("EIR"). In addition, a public scoping meeting was held on June 28, 2022, to provide information on the Project and receive additional comments on issues to be addressed in the Final EIR. On December 28, 2022, a Notice of Availability ("NOA") of the Draft EIR was published and Notice of a Public Hearing to be held February 2, 2023 was provided. In accordance with CEQA and the CEQA Guidelines, the County analyzed the Project's potential impacts on the environment. The County circulated the Draft EIR and its appendices for the Project to the public and other interested parties for a 45-day comment period, in accordance with CEQA Guidelines Section 15105, from December 28, 2022 through February 13, 2023. The County prepared written responses to all comments received on the Draft EIR and those responses to comments are incorporated into Chapter 3 of the Final EIR; and,

**Whereas**, in accordance with applicable provisions of law, the Planning Commission held a public hearing on July 13, 2023 and July 20, 2023 at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

**Whereas**, the Planning Commission deliberated regarding the Project at meetings on July 13th, 2023 and July 20th, 2023, adopted a Resolution recommending that the Board of Supervisors certify a Final Environmental Impact Report for the Housing Element, and adopt findings of fact pursuant to the California Environmental Quality Act (CEQA) and a statement of overriding considerations, and recommend that the Board of Supervisors adopt general plan amendments to maps and policies of the Land Use Element and other elements to enable the Housing Element project, adopt the Housing Element with certain revisions, and approve zoning code and map changes; and,

**Whereas**, in accordance with applicable provisions of law, the Board of Supervisors held a public hearing on August 22, 2023, at which time the Board of Supervisors heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and,

**Whereas**, the Board of Supervisors considered the evidence presented regarding the Project and the environmental review conducted pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et. seq., (CEQA)), the State CEQA Guidelines (14 Cal. Code Regs. 15000 et seq.), and the County's local guidelines.

**Now, Therefore, Be It Resolved** by the Board of Supervisors as follows:

1. The foregoing recitals are true and correct, and incorporated into the findings herein.
2. The Final Environmental Impact Report (EIR) is comprised of the Draft EIR dated December 2022 and all appendices thereto; the Comments and Responses to Comments on the Draft EIR; the clarifications, revisions, and corrections to the Draft EIR; the Final EIR, Final EIR Appendices; all of which collectively is referred to herein as the "Final EIR" and incorporated herein by this reference. The Board of Supervisors has considered the 2023-2031 Housing Element and

associated General Plan and Zoning Ordinance amendments, the Final EIR, and the evidence, both written and oral, including staff reports, supporting documentation, and public comment letters, presented at the hearing.

3. The findings made in this Resolution are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence that has been presented at the hearing and in the record of the proceedings. The Final EIR, staff reports, technical studies, appendices, plans, specifications, and other documents and materials that constitute the record of proceedings on which this Resolution is based are on file for public examination during normal business hours at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403. Each of these documents is incorporated herein by reference.
4. The Board of Supervisors finds that agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Final EIR and the Project.
5. Section 15091 of the CEQA Guidelines requires that the County, before approving the Project, make one or more of the following written finding(s) for each significant effect identified in the Final EIR, accompanied by a brief explanation of the rationale for each finding:
  - a. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR; or,
  - b. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; or,
  - c. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
6. The required findings are set forth in Exhibit "1C", attached hereto and incorporated herein by reference.
7. Prior to taking action, the Board of Supervisors has heard, been presented with, reviewed, and considered the information and data in the record, including oral and written testimony presented to it for and during public hearing. The County's independent environmental consultants and County staff reviewed and analyzed the comments received on the Project's environmental review. No comments or any additional information submitted to the County have produced any substantial new information requiring additional environmental review or re-circulation of the Final EIR under CEQA because no new significant environmental impacts were identified, nor was any substantial increase in the severity of any previously disclosed environmental impacts identified, nor was a feasible project alternative or mitigation measure considerably different from others previously analyzed added. Further, the draft EIR was neither inadequate and conclusory in nature and meaningful public review and comment opportunities were provided.

**Be It Further Resolved** that the Board of Supervisors, pursuant to CEQA Guidelines Section 15090, certifies

that the Final EIR 1) reflects the Board of Supervisor's independent judgement and analysis; 2) was presented to, and reviewed and considered by, the Board of Supervisors; and 3) has been completed in compliance with CEQA.

**Be It Further Resolved** that the Board of Supervisors hereby adopts the findings as required pursuant to CEQA, as set forth in the "Findings and Facts in Support of Findings" attached hereto as Exhibit "1C" and incorporated herein by reference.

**Be It Further Resolved** that CEQA Guidelines Section 15093 requires that if a project will cause significant unavoidable adverse impacts, the County must adopt a Statement of Overriding Considerations prior to approving the project. The EIR identifies significant, unavoidable impacts for aesthetics, cultural resources, greenhouse gas emissions, hazards and hazardous materials, transportation and traffic, utilities and service systems, and wildfire. The Board of Supervisors hereby adopts the Statement of Overriding Consideration set forth in Exhibit "1D", which is attached hereto, and incorporated herein, finding that the benefits of the Project outweigh the Project's environmental impacts.

**The Foregoing Resolution** was introduced by Supervisor \_\_\_\_\_ who moved its adoption, seconded by Supervisor \_\_\_\_\_ and adopted on roll call by the following vote:

**Supervisors:**

Gorin:                      Rabbitt:                      Coursey:                      Hopkins:                      Gore:

Ayes:                      Noes:                      Absent:                      Abstain:

**So Ordered.**

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**EXHIBITS**

Exhibit 1A: Final Environmental Impact Report

Exhibit 1B: Mitigation Monitoring and Reporting Program

Exhibit 1C: Findings of Fact

Exhibit 1D: Statement of Overriding Considerations

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**Exhibit "B"**

**Draft Statement of Overriding Considerations.**